

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 19

December 6, 2016

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON DECEMBER 6, 2016

SUBJECT: POLICY PROHIBITING BIASED POLICING – REVISED

PURPOSE: Effective January 1, 2016, California Assembly Bill (AB) 953 modified the definition of racial and identity profiling to now include age. Department personnel may not use race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, or disability (to any extent or degree) while conducting any law enforcement activity, including stops or detentions, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group. This Order revises Department Manual Section 1/345, *Policy Prohibiting Biased Policing*, to reflect the changes made by AB 953.

PROCEDURE: Department Manual Section 1/345, *Policy Prohibiting Biased Policing*, has been revised. Attached is the revised Department Manual Section with the revisions indicated in italics.

AMENDMENT: This Order amends Section 1/345 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



CHARLIE BECK
Chief of Police

Attachment

DISTRIBUTION "D"

DEPARTMENT MANUAL
VOLUME I
Revised by Special Order No. 19, 2016

345. POLICY PROHIBITING BIASED POLICING. Discriminatory conduct on the basis of race, religion, color, ethnicity, national origin, *age*, gender, gender identity, gender expression, sexual orientation, or disability while performing any law enforcement activities is prohibited. All law enforcement contacts and activities, including, but not limited to, calls for service, investigations, police-initiated stops or detentions, and activities following stops or detentions, shall be unbiased and based on legitimate, articulable facts, consistent with the standards of reasonable suspicion or probable cause as required by federal and state law.

Department personnel may not use race, religion, color, ethnicity, national origin, *age*, gender, gender identity, gender expression, sexual orientation, or disability (to any extent or degree) while conducting any law enforcement activity, including stops or detentions, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group. Department personnel seeking one or more specific persons who have been identified or described in part by their race, religion, color, ethnicity, national origin, *age*, gender, gender identity, gender expression, sexual orientation, or disability may rely in part on the specified identifier or description only in combination with other appropriate identifying factors and may not give the specified identifier or description undue weight.

Failure to comply with this policy is counterproductive to professional law enforcement and is considered to be an act of serious misconduct. Any employee who becomes aware of biased policing or any other violation of this policy shall report it in accordance with established procedure.